

## REMARKS

Applicants reply to the Office Action dated December 29, 2011 within two (2) months. The Examiner rejects all pending claims 17-21 and 24-33. Applicants add new claim 34. Support for the amendments and new claim may be found in the originally-filed specification, claims, and figures. No new matter has been introduced by these amendments and new claim. Applicants assert that the application is in condition for allowance and reconsideration of the pending claims is requested.

### Rejections Under 35 U.S.C. § 103(a)

The Examiner rejects claims 17-21 and 24-33 under 35 U.S.C. § 103(a) as being unpatentable over Fredregill (U.S. Patent Application No. 2005/0144074) in view of Davis (U.S. Patent Application No. 2004/0193491), in view of Musharbash (U.S. Patent No. 7,096,164), and further in view of Donkken (U.S. Patent Application No. 2003/0225619). Applicants respectfully disagree with the Examiner's rejections; however, Applicants amend certain pending claims, without prejudice or disclaimer, to further clarify the patentable aspects and to expedite prosecution. Applicants further respectfully assert that the Examiner has not developed a *prima facie* case of obviousness.

Fredregill discloses an on-line shopping system that can be associated with a loyalty account. However, Fredregill does not disclose a logic based point conversion ratio based on the type of loyalty points used and the type of item being purchase. As noted by the Examiner, Fredregill discloses the concept of "regular" points and "bonus" points. *However, Fredregill does not disclose that only particular types of points may be used for particular purchases.* Moreover, the shopping cart functionality cited by the Examiner at page 6 of the Office Action fails to teach that the conversions of loyalty points are included as transactions. Fredregill simply discloses that points earned may be tracked in a shopping cart format. Applicants respectfully submit that the claims require more.

Dokken discloses a single "settlement point" or exchange for converting various types of loyalty points to a uniform value. Moreover, *Dokken specifically discloses that points can be combined, debited, and/or credited, regardless of the type of good or service being purchased.* Davis discloses a computer-enabled certificate program. The system allows a system provider to

provide incentives to users in the form of certificates. Musharbash discloses a system and software for the design and sale of electro-mechanical circuits.

*However, like Fredregill, neither Davis, nor Musharbash, nor Dokken discloses a system configured with a shopping cart view that includes separate transaction records for each of (1) the item being purchased and (2) the points being redeemed from various loyalty accounts.*

As such, Applicants assert that the cited references alone or in combination do not disclose or contemplate at least, “identifying, by the computer based system, a loyalty point type associated with the non-tangible item, wherein the non-tangible item is purchased with loyalty points of the identified loyalty point type, *wherein the loyalty point type is a type of loyalty points provided by a loyalty point issuer that has authorized the loyalty points to be redeemed for the non-tangible item*,” “calculating, by the computer based system, a first amount of loyalty points of a first non-identified loyalty point type that is equal to a second amount of loyalty points of an identified type based on the conversion ratio, *wherein the first non-identified loyalty point type is converted to the identified type to be used to purchase the non-tangible item*” or “displaying, by the computer based system and *in response to the authorization*, in a shopping cart format *a first transaction record associated with the non-tangible item and a second transaction record associated with a transfer of the third amount of loyalty points of a second non-identified type*, wherein the first transaction record displays the purchase amount of loyalty points of the first identified type” (emphasis added), as similarly recited in independent claims 17, 27 and 28.

Furthermore, claims 18-26 and 29-34 variously depend from independent claim 17. As such, Applicants assert that claims 18-26 and 29-34 are differentiated from the cited references for the same reasons as set forth above, in addition to their own novel features. Thus, Applicants respectfully request allowance of all pending claims.

When a phrase similar to “at least one of A, B, or C” or “at least one of A, B, and C” is used in the claims or specification, Applicants intend the phrase to mean any of the following: (1) at least one of A; (2) at least one of B; (3) at least one of C; (4) at least one of A and at least one of B; (5) at least one of B and at least one of C; (6) at least one of A and at least one of C; or (7) at least one of A, at least one of B, and at least one of C.

Applicants respectfully submit that the pending claims are in condition for allowance. The Commissioner is hereby authorized to charge any fees which may be required, or credit any overpayment, to Deposit Account No. **19-2814**. If an extension of time is necessary, please accept this as a petition therefore. Applicants invite the Office to telephone the undersigned if the Examiner has any questions regarding this Reply or the present application in general.

Respectfully submitted,

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